

**EXCERPTS FROM AN ADVISORY
FROM THE
FEDERAL TRADE COMMISSION:**

**If You've Got *The Look*, Look Out!
Avoiding Modeling Scams¹**

What could be more flattering?

Someone approaches you at the mall and says, "You could be a model. You've got the 'look' we're after. Here's my card. Give me a call to set up an appointment."

People have always said you're good looking. Now, visions of glamour, travel and money flash before your eyes.

It's true that some successful models have been discovered in everyday places like malls, boutiques, clubs, and airports. But the vast majority of would-be models knock on door after agency door before work comes their way.

It's All an Act

If and when you make that follow-up appointment, you'll probably find yourself in an office filled with lots of other model and actor hopefuls.

Then the spiel starts. What you thought was a job interview with a talent agency turns into a high-pressure sales pitch for modeling or acting classes, or for "screen tests" or "photo shoots" that can range in price from several hundred to several thousand dollars.

Man, woman, or child — it makes no difference to bogus model and talent scouts. Often, these scouts are after one thing — your money — and will say just about anything to get it. But what they say isn't always what they mean.

Unscrupulous model and talent scouts have their

acts down pat. Listen carefully to read between their lines...

Agencies and schools offer separate and distinct services. Make sure you know the difference.

- ***Modeling (or talent) agencies*** secure employment for experienced models and actors. Some agents require that you sign up exclusively with them; others may allow you to register with them as well as with other agencies in town.
- ***Modeling and acting schools*** claim to provide instruction — for a fee — in poise, posture, diction, skin care, make-up application, the proper walk, and more. Modeling schools do not necessarily act as agents or find work for you — after you take their classes, you may be on your own.

¹Re-printed from Federal Trade Commission's *Facts for Consumers*. View the entire advisory at: www.ftc.gov/bcp/online/pubs/services/model.htm

Modeling agencies in Massachusetts are regulated by the Division of Occupational Safety (DOS)

Modeling and acting schools in Massachusetts are regulated by the Department of Education (DOE)
(Proprietary Schools)

Theatrical booking agents are regulated by the Department of Public Safety (DPS)

*This brochure is presented as a public service by the
Commonwealth of Massachusetts'*

**DIVISION OF
OCCUPATIONAL SAFETY
EMPLOYMENT AGENCY PROGRAM
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Website: www.mass.gov/dos**



**THE COMMONWEALTH OF
MASSACHUSETTS
*Department of Labor***

**Division of Occupational Safety
Employment Agency Program**

EMPLOYMENT AGENCY LAW
Massachusetts General Law, Chapter 140, Sections 46A-46R

**Did you know that
MODELING
AGENCIES
in Massachusetts must be
licensed by the
Division of
Occupational Safety?**



What is an employment agency?

An employment agency is defined by Massachusetts law (M.G.L. c. 140, §§ 46A-46R) as any person or business that engages in recruiting or placing employees in temporary or permanent employment engagements for a fee.

How does this relate to the modeling industry?

Modeling agencies in MA are considered employment agencies. They must receive a license from the Division of Occupational Safety (DOS) in order to lawfully operate in our state.

What does an agency's license mean to a model?

In order to receive a license from DOS, an agency must complete an application that establishes their legitimacy as a business entity, the license applicant must prove that s/he is a person of good moral character, that the agency has experience or qualifications to engage in worker placement activities, submits a surety bond payable to, "The People of the Commonwealth," and DOS performs a criminal background check (CORI) on the agency owner. Applicants must attend a hearing on their application before a license is granted. In addition, DOS inspectors conduct routine inspections of licensed agencies and have the right of inspection at any time and for any reason.

Why are modeling agencies licensed?

The law is designed to protect models and prospective models from unscrupulous business practices and safeguard their earnings.

How do I find out if an agency is licensed?

Call DOS at 617.727.3696 or, visit www.mass.gov/dos/ to view the most current list of licensed agencies.



**BE INFORMED ABOUT
THE MODELING
INDUSTRY**

- Agencies make their money when they secure work for their models. It is **ILLEGAL** in Massachusetts for any agency to charge a registration fee to a model or prospective model.
- Agencies are allowed to take a fee from the model for each job assignment the agency finds for the model. The gross fee taken from the model per job assignment cannot exceed 10% in Massachusetts.
- Aspiring models do not need large and expensive photo packages or portfolios. Beware of companies that try to sell you expensive photo packages, and beware of agencies that steer you to a specific photographer or "comp card" printer. You have the right to compare fees and work quality of several photographers and printers.
- Aspiring models do not necessarily need to attend schools, classes, or receive "training" in order to sign with an agency. If you have a look that is appealing to an agency, they will often invest the time to educate you about how to perform for particular modeling work such as runway, print advertising, promotional work, etc.
- It is unlawful for an agency to require any model (or aspiring model) to subscribe to any publication or incidental service or contribute to the cost of advertising.



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- Many scouting events, conventions, and competitions cost money for participation, but understand that you are not guaranteed to be signed with an agency and are not guaranteed work.
- Many legitimate, licensed agencies have open calls that are free and open to anyone interested in modeling. You will often get an honest assessment about your potential for work in the industry by attending open calls...and it won't cost you any money!
- Beware of companies that charge fees to post your pictures on the internet or operate solely as online modeling sites. Industry experts and reputable, established agencies tell us that clients who need models for various types of work do not "surf the net" looking through tens of thousands of photographs to find their models. In addition, you may be giving yourself unwanted exposure to people who have questionable motivations for contacting you.
- Make sure you only deal with licensed modeling agencies. Licensed agencies are required by Massachusetts law to post their licenses in their agencies.
- Contact DOS at 617.727.3696 if you have encountered any unlicensed agencies or have any questions about potential scams or questionable business practices related to the modeling industry.